

REMARKS/ARGUMENTS

This communication is in response to the Non-Final Office Action dated January 16, 2009. Claims 1-29 were previously canceled, without prejudice. Claims 30-57 remain pending in this application with claim 30 is the only independent claim. Reconsideration is respectfully requested.

Prior Art Rejections

Claims 30-41, 44-55 and 57 are rejected as obvious over Johannesson et al. (U.S. Patent No.: 7,236,784) in view of Park et al. (U.S. Patent No. 7,110,788).

Claims 42 and 43 are rejected as obvious over Johannesson et al in view of Park et al. and Kuchibhotla et al (U.S. Patent Application Publication No. 2005/0090255).

Claim 56 is rejected as obvious over Johannesson et al in view of Liroy et al. (U.S. Patent Application Publication No. 2005/0111377).

Pursuant to 35 U.S.C. §119(a) the present application is entitled to the benefit of and claims priority to German Patent Application No. 103 34 872.7 filed on July 29, 2003. An international application was filed on July 28, 2004 claiming Priority to DE 103 34 872.7 filed July 29, 2003. The present application is a national Phase application under 35 U.S.C. 371, filed on January 25, 2006, based on a certified translation of the International Application. The certification is enclosed. Accordingly, in order for a prior art reference to be valid in rejecting the claims of the present invention it must have an effective filing date that predates **July 29, 2003**.

None of the four prior art references relied on as the basis for rejecting the present claimed invention predate that of the present invention and thus are not valid prior art.

Prior Art Reference	§102(e) Filing Date
Johannesson et al. (U.S. Patent No.: 7,236,784)	March 23, 2004 (assuming that there is adequate supporting disclosure in the U.S. Provisional Patent Applications)
Park et al. (U.S. Patent No. 7,110,788)	April 15, 2004

Kuchibhotla et al (U.S. Patent Application Publication No. 2005/0090255	October 7, 2003
Lioy et al. (U.S. Patent Application Publication No. 2005/0111377)	November 25, 2003

Accordingly, Applicant submits that the present claimed invention is patentable in view of the prior art of record and passage of the application to issuance is therefore requested.


CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Assistant Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

Respectfully submitted,
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